

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TODD MATTOX,

Plaintiff,

v.

DR. KENNETH JORDAN and
DR. WILLIAM C. BORGERDING,

Defendants.

Case No. 2:12-cv-13762-LJM-EAS
Honorable Laurie J. Michelson
Mag. Judge Elizabeth A. Stafford

ORDER DENYING MOTION FOR TRIAL DATE [326]

For the reasons stated on the record at the January 20, 2022 hearing, Plaintiff Todd Mattox's motion for a trial date as to William Borgerding is DENIED. Mattox may sign either (1) the earlier version of the release except that it omits paragraph 2.4 regarding "offset for liens which the Michigan Department of Treasury is empowered to exercise" (*see* ECF No. 328, PageID.4980) or (2) the redrafted version of the release that includes the following paragraph 2.3, "The MDOC asserts that at the time this agreement is executed, Plaintiff does not have any debts subject to MCL 660.5511, and the MDOC has not been provided notice of any liens, outstanding orders, or other statutorily mandated deductions that would require the MDOC to pay any portion of the sum stated in § 2.1 to any person or entity other than Plaintiff," (ECF No. 328, PageID.5015). If option (2) is selected, but it turns out that Mattox does have debts subject to MCL 660.5511 or MDOC is required to pay a portion of the settlement to a person other than Mattox, then the settlement amount shall be

increased such that Mattox will receive the full \$17,500. Upon signing of the release, Borgerding is to make payment to Mattox within seven days.

SO ORDERED.

Dated: January 21, 2022

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE